

CLEVELAND STATES TERMS

If Roads Give In Will Hurry Ap-

Raleigh, N. C., July 25.—Nothing came from the conference to-day between Edward T. Snodgrass, Assistant United States Attorney General, and Governor Glenn concerning a basis of settlement of the pending railway rate litigation between the state and the Southern Railway, involving the jurisdiction of state and federal courts.

Governor Glenn emphasized the statement that it would be useless for the railroads to make any proposition that did not first provide that the state rate law should go into effect pending

the result of the litigation, and said that if the railroads refused him offer the state would, in a perfectly legal way, continue to execute the law as he sees it. If necessary, he announced, he would call an extra session of the General Assembly that it might act as it saw fit on all matters affecting the pending litigation, saying that as he got his authority and power through it, that body alone, by way of eminent domain, etc., could control and regulate railroads which were "acting in defiance of both the law and

An extra session seems inevitable as a basis of settlement. The Governor suggested to Mr. Sanford the following proposition, which he has wired to the State Solicitor at Asheville:

"That the 2½-cent rate be put into effect at once by the railroads until a final legal settlement, the state to appeal from the order of Judge Pritchard discharging from custody the Southern Railway ticket agents in Asheville; the Southern Railway to appeal to the Supreme Court from the order of Judge Pritchard."—*Asheville Citizen*

court of North Carolina in the Wake County case, in which the company was fined \$30,000, and if decided against it to go by writ of error to the Supreme Court of the United States; each side to co-operate to have both cases advanced.

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"Asheville, N. C., July 25.—The following correspondence between Governor Glenn and Mr. W. Brown, solicitor for the 15th Judicial District, regarding the railroad rate fight, was made public here to-day. Solicitor Brown wrote to Governor Glenn:

"Asheville, N. C., July 23, 1907.

"Referring to the passenger rate litigation, the Hon. Edward T. Sanford, Assistant Attorney General of the United States, who is here as representative of the Department of Justice, has made the following suggestion to me as a representative of the state, and to counsel representing the Southern Railway Company, in the interest of harmony and to avoid conflict between the

“That in view of the two decisions by Judge Pritchard and Judge Long, which fully present the contentions both of the state and the railway company, as to the effect of the injunction in the railway rate case, an orderly and speedy determination of the questions involved be obtained in the following manner:

“First, that the appeal by the state in the habeas corpus case before Judge Pritchard be prosecuted to the Supreme Court of the United States, and application made to advance the hearing.

“Second, that the railway company be required

Second, that the railway company also tax on appeal to the Supreme Court of North Carolina.

The United States Supreme Court has just rendered its decision against the Northern Railway Company, in accordance with the Governor's suggestion in yesterday's interview, and if this case goes by writ of error to the Supreme Court of the United States, that like application be made to advance this suit also.

It is not likely that the mean time the original railway rate case will be diligently proceeded with on the merits and that no other suits or prosecutions for penalties growing out of the statute in controversy be instituted by either side pending the determination by the Supreme Court of the question involved.

Fourthly, we make up to the Supreme Court of the United States the question of the effect of Judge Pritchard's injunction for final determination in an orderly manner in the two cases, one going through the federal and the other through the state court, and would speedily make the final determination of all questions."

"I am advised that Mr. Sanford has obtained the assent of the Southern Railway Company to this method of settlement."

The Governor's reply to Solicitor Brown said:

"Raleigh, N. C., July 23.

"Telegram too important to be hastily answered. Does position include temporary putting into effect of the new rate? Answer this before

Solicitor Brown immediately telegraphed Governor Glenn:

"Sanford states that his suggestion did not include the temporary putting into effect of the

new rate, but contemplates that both parties would continue the prosecution of the suits mentioned in my former telegram in both the

state and federal courts, in order that their respective rights may be speedily determined by the Supreme Court of the United States through orderly procedure, without conflict between the state and federal courts, and in order that the question of the effect of Judge Pritchard's injunction may reach the Supreme Court through the medium of decisions of both the state and federal courts."

Mr. Sanford will arrive here from Raleigh early to-morrow to hold a meeting with the railway officials and endeavor to reach a compromise.

OPINION IN WASHINGTON

Differing Views of the North Carolina Controversy.

[From The Tribune Bureau.]

Washington, July 25.—The legal war between the United States Circuit Court, Judge Pritchard presiding, and the State of North Carolina is attracting more attention and exciting more intense legal battle, since the famous

The Department of Justice, which is closely watching the developments in North Carolina

has absolutely no official connection with the case nor has the Attorney General nor the President, although both would probably be drawn

into it should Judge Pritchard appeal to the President to uphold him against the opposition of the North Carolina executive and judicial authorities. At present, the Department of Justice is without a head and most of the responsible officials are absent from Washington.

Charles W. Russell, who in the absence of his superiors is Acting Attorney General, declines

to say anything regarding the case, or, in fact, even to discuss so innocuous a subject as the weather, for his unaccustomed responsibility.